

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LARRY LEE SEABURG,

Petitioner,

v.

ORDER

Civil File No. 06-324 (MJD/AJB)

UNITED STATES OF AMERICA,

Respondent.

Larry Lee Seaburg, pro se.

James E. Lackner, Assistant United States Attorney, Counsel for Respondent.

The above-entitled matter comes before the Court upon five motions by Petitioner Larry Lee Seaburg: Motion to Uncover the Judicial Cover-up [Docket No. 13]; Motion to Amend to Make Additional Findings of Fact Court's Clearly Erroneous Order Dated March 24, 2006 [Docket No. 14]; Motion to Issue a Bench Warrant to Hold a Hearing to Determine if Seaburg Has Made False Statements to this Court [Docket No. 15]; Motion to Issue a Bench Warrant Revoking Seaburg's Illegal Term of Supervised Release [Docket No. 16]; and Motion to Alter or Amend the Court's Erroneous Application/Mis-cited Rules of Law [Docket No. 17].

On March 23, 2006, this Court adopted the Magistrate Judge's Report and Recommendation and dismissed the case for lack of jurisdiction. On March 30, 2006, Seaburg filed the current motions. The Court construes these motions as a motion for reconsideration.

In his current motion, Seaburg raises many of the same arguments that he has previously submitted to the Court. Additionally, he asserts that he is not in custody because he is on supervised release. A "prisoner on supervised release is 'in custody' for purposes of filing [a] § 2255 motion." United States v. Queen, 90 Fed. Appx. 197, 198 (8th Cir. Mar. 25, 2004) (unpublished) (citing United States v. Pregent, 190 F.3d 279, 283 (4th Cir. 1999)).

The Court has reviewed its March 2006 Order [Docket No. 11] and concludes that it contains no manifest errors of law or fact. Seaburg's motion for reconsideration is denied. This case has been dismissed and is to be closed.

IT IS HEREBY ORDERED that:

1. Seaburg's Motion to Uncover the Judicial Cover-Up [Docket No. 13] is **DENIED**.
2. Seaburg's Motion to Amend to Make Additional Findings of Fact Court's Clearly Erroneous Order Dated March 24, 2006 [Docket No. 14] is **DENIED**.
3. Seaburg's Motion to Issue a Bench Warrant to Hold a Hearing to Determine if Seaburg Has Made False Statements to this Court [Docket No. 15] is **DENIED**.
4. Seaburg's Motion to Issue a Bench Warrant Revoking Seaburg's

Illegal Term of Supervised Release [Docket No. 16] is **DENIED**.

5. Seaburg's Motion to Alter or Amend the Court's Erroneous Application/Mis-cited Rules of Law [Docket No. 17] is **DENIED**.

Dated: April 14, 2006

s/ Michael J. Davis
Judge Michael J. Davis
United States District Court